UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
　　　　　Plaintiff,

No. 1:02-cr-182-02

-v-

HONORABLE PAUL L. MALONEY

JERRY E. WEATHERS,
　　　　　Defendant.

ORDER DENYING MOTION TO TERMINATE FEDERAL SUPERVISION

Defendant Weathers, currently a prisoner under the control of the Michigan Department of Corrections (MDOC), is also under a term of federal supervised release until March 31, 2012. After entering a into plea agreement on federal charges, Defendant was sentenced in 2003 to 76 months in custody and an additional three years of supervised release. Defendant was released and placed on supervised release in 2009. In April 2009 and July 2009, Defendant was arrested for violations of the terms and conditions of his supervised release. Defendant Weathers now files a motion (Dkt. No. 76) requesting suspension of his term of supervised release. Defendant explains, when he is released, he will have to report to both a state parole officer and a federal probation officer, which will impose a hardship upon him.

Defendant's motion (Dkt. No. 76) to terminate federal supervision is **DENIED.** Defendant cites no authority in support of his request. A court may terminate a term or condition of supervised release and discharge the defendant under 18 U.S.C. § 3583(e)(1). The statute imposes two conditions, neither of which Defendant has met. First, before the term of supervised release may be terminated, the defendant must have completed one year of supervised release. 18 U.S.C. § 3583(3)(1). Second, the court must be satisfied "such action is warranted by the conduct of the

defendant released and the interest of justice." *Id.* Plaintiff has not completed one year of supervised

release. Plaintiff's conduct, the violations of the terms and conditions of release, demonstrates

termination of supervised release would not be in the interests of justice. **IT IS SO ORDERED.**

Date: December 15, 2009   /s/ Paul L. Maloney
                                   Paul L. Maloney
                                   Chief, United States District Judge